



## *Community Development Department*

**DATE:** June 18, 2019

**FROM:** Ben Ehreth, Community Development Director

**ITEM:** Consideration discussion to Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading)

### **REQUEST**

Community Development Department staff is requesting direction from the Board of City Commissioners prior to initiating amendments to Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading).

Please place this item on the June 25, 2019 City Commission meeting agenda.

### **BACKGROUND INFORMATION**

Staff has been reviewing and analyzing data related to variance requests over the past few months to determine if there are trends that can be seen within the specific applications for type of variances over the past five years. One of the more commonly requested variances or Bismarck Board of Adjustment determinations is associated with off-street parking and loading requirements. Roughly 22% of all variances requested over the past five years are related to off-street parking and loading requirements. Since 2014 a total of 26 off-street parking and loading area variances have been approved and seven denied. Through the variance process, since 2014, there has been a reduction of 1,200 off-street parking spaces that would have otherwise been required to be constructed.

Parking is a subject that has direct and indirect influence on a number of areas ranging from the provision of affordable housing to reductions in storm water runoff impacts. The first off-street parking and loading requirements for the community appeared in the 1953 Zoning Ordinance for the City of Bismarck. Since that time periodic changes have occurred to keep pace with demand. In 2015, 2016, and 2017 staff initiated Zoning Ordinance Text Amendments to modify off-street parking and loading requirements. These modifications reduced parking requirements for certain uses, clarified how parking is calculated, and allowed some flexibility for the Zoning Administrator to determine required parking for certain uses. However, even with these changes staff continues to observe a continued increase of Board of Adjustment requests to vary from

off-street parking and loading requirements.

In an effort to address existing requests to reduce off-street parking and loading requirements as well as to prepare for changes to differing mobility demands in the future, staff suggests a comprehensive review and rewrite of Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading).

### **RECOMMENDED CITY COMMISSION ACTION**

Consider discussion and provide direction to staff on whether to move forward with review and rewrite of Section 14-03-10 of the City Code of Ordinances (Off-street Parking and Loading) and, if so, to further consider if and whom from the Bismarck Board of City Commissioners should be directly involved in the process to modify the subject section of ordinance.

### **STAFF CONTACT INFORMATION**

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